## **REMARKS**

Claims 1-22 remain pending in the case.

## **Double Patenting Rejection**

## Claims 1-22

Claims 1-22 are rejected under the judicially created (non-statutory) doctrine of obviousness-type double patenting over claims 1-18 of U.S. Patent No. 6,660,563 B1 By Cromwell et al. (Referred to hereinafter as "Cromwell"). A terminal disclaimer in compliance with 37 CFR 1.321 is being submitted concurrent with the instant response, thereby obviating the double patenting rejection.

100200473-3 Examiner: Arbes, Carl J. Serial No.:10/698,780 Group Art Unit: 3729

## **CONCLUSION**

In light of the above remarks, Applicant respectfully requests reconsideration of the rejected Claims 1-22.

Based on the argument presented above, Applicant respectfully asserts that Claims 1 through 22 overcome the rejections of record and, therefore, allowance of these Claims is respectfully solicited.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,

WAGNER, MURABITO & HAO LLP

Date: 10/6/05

John P. Wagner Jr. Reg. No. 35,398

Two North Market Street Third Floor San Jose, California 95113 (408) 938-9060

- 3 -